

JURISDICTION:

General References:

Basis for a Speed Law Violation:

Basic Speed Rule:

**Statutory Speed Limit:
See Other below.**

Posted (Maximum) Speed Limit:

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This chapter summarizes Iowa State statutes related to speed.
Iowa Code Annotated and Iowa Administrative Code (IAC)

A person shall drive a motor vehicle at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface and width of the highway and of any other conditions than existing, and no person shall drive any vehicle upon a highway at a speed greater than will permit the person to bring it to a stop within the assured clear distance ahead. ' ' 321.285 & 321.288

65 MPH on controlled-access, multilaned highways including interstate highways ' 321.285

55 MPH on other highways or on surfaced secondary roads¹ ' 321.285

45 MPH in suburban districts ' 321.285

45 MPH on roads under the control of the State Board of Regents²
' 262.68

35 MPH on State parks and preserve roads ' 461A.36

25 MPH in a residence or school district ' 321.285

20 MPH in a business district ' 321.285

I. The State may also establish a speed limit of 65 MPH on certain non-limited access divided multilaned highways. ' 321.285

II. Based on engineering and traffic investigations, the State on the primary road system or a city government on streets within its jurisdiction (except primary road extensions) may increase or decrease the above speed limits.³ ' 321.290

III. The State or a city may lower the 65 MPH speed limit upon highways located within the corporate limits of a city. ' 321.286(6)

IV. Local authorities have the authority to regulate the speed in public parks and alleys. ' 321.236(5) & (11)

V. With State approval, a local government may increase the statutory

¹If the secondary road is not surfaced with either concrete or asphalt, the maximum speed limit is 55 MPH between sunrise and sunset and 50 MPH between sunset and sunrise. ' 321.285

²Note: The Board of Regents has authority over various education institutions (e.g., State University of Iowa).

³Note: Iowa law does not specifically state whether different highway speed limits may be established either for different types of vehicles, for various weather conditions or for different times of the day.

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speed limits listed in ' 321.285. However, any new speed limit cannot >55 MPH. ' 321.293⁴

VI. The Natural Resource Commission may reduce the speed limit on State parks and preserve roads when such is needed to improve safety. ' 461A.36

VII. The Board of Regents may establish lower speed limits on roads under their jurisdiction in the interest of safety. ' 262.68

Basis for a Speed Law Violation: (continued)

Minimum Speed Limit:

I. A person shall not drive a motor vehicle at such a slow speed to impede or block the normal and reasonable movement of traffic. ' 321.294

II. A vehicle, which cannot attain and maintain a speed of 40 MPH, cannot be driven on the interstate system. ' 321.285

III. A person, driving at less than the normal speed of traffic, shall drive in the right-hand lane then available for traffic or as close as practicable to the right-hand curb or edge of the roadway. ' 321.297(2)

Posted (Minimum) Speed Limit:

Based on engineering and traffic investigations, the State may establish a minimum speed limit on controlled-access, multilaned highways including interstate highways. ' 321.285

Other:

I. Based on a safety investigation, the State may establish a safe maximum speed limit for any bridge or elevated structure. ' 321.295

II. A vehicle cannot be operated on a highway unless it can proceed up a 3 percent grade with speed of at least 20 MPH. ' 321.382

Adjudication of Speed Law Violations:

Civil/Criminal Adjudication of Violation:

Speed Law Violations are Simple Misdemeanors. ' ' 262.68, 321.482 & 461A.57

Other:

Sanctions Following an Adjudication of a Speed Law Violation:

Criminal Sanctions:

Imprisonment:

Term (Day, Month, Years,

Etc.):

Not more than **30 days** ' 903.1(1)(a)

Mandatory Minimum Term:

None

Fine:

⁴Note: Under this provision, the State can recommend that a local government increase speed limits on certain highways. If the local government fails to increase the speed limit per the recommendation, the State can establish higher speed limits after conducting an engineering and traffic investigation.

Amount (\$ Range): **\$50 to \$500⁵** ' 903.1(1)(a)
Mandatory Min. Fine (\$): **None**

Sanctions Following an Adjudication of a Speed Law Violation:
(continued)

Other Penalties:

⁵**Scheduled Violations.** Most speed law violations are considered "scheduled violations" for which the following fines are provided. However, A[e]xcessive speed in whatever amount by a **school bus** is not a scheduled violation....@ ' 805.8(g)(5) I. Except as noted in II, the fine schedule for speeding offenses is as follows: (1) ≤5 MPH over the speed limit-\$10; (2) >5 MPH but ≤10 MPH over the speed limit-\$20; (3) >10 MPH but ≤15 MPH over the speed limit-\$30; (4) >15 MPH but ≤20 MPH over the speed limit-\$40; (5) >20 MPH over the speed limit-\$40 plus \$2 for every MPH over the 20 MPH excessive speed. ' 805.8(2)(g)(1) & (3) II. In speed zones with a speed limit >55 MPH, the fine schedule for speeding violations is as follows: (1) ≤5 MPH over the speed limit-\$10; (2) >5 MPH but ≤10 MPH over the speed limit-\$20; (3) >10 MPH but ≤15 MPH over the speed limit-\$40; (4) >15 MPH but ≤20 MPH over the speed limit-\$60; (5) >20 MPH over the speed limit-\$60 plus \$2 for every MPH over the 20 MPH excessive speed. ' 805.8(2)(g)(4) III. For violating the posted safe speed limit for a bridge or elevated structure, the scheduled fine is \$15. ' 805.8(2)(h) IV. For violating the minimum speed rule (i.e., driving too slow), the scheduled fine is \$20. ' 805.8(2)(l) V. For not driving in the right-hand lane of traffic when proceeding at a speed less than the normal speed of traffic, the scheduled fine is \$15. ' 805.8(2)(h)

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Traffic School:

Other:

Driver Improvement Program⁶ IAC 761-615.43(1)(a)

Road Work Zone. For exceeding the speed limit in a road work zone, the fine is **double** the amount in the fine schedule. ' ' 321.1(66) & 805.8(2A)

Licensing Action:

Type of Licensing Action

(Susp/Rev):

Term of License Withdrawal

(Days, Months, Years, etc.):

Mandatory Minimum Term of

Withdrawal:

Suspension⁷ ' 321.210(1)

30 days to 1 year⁸ ' 321.212(1)(a) and IAC 761-615.11(1)

None A restricted license is available for employment, educational or

⁶The licensing agency may require a person, who is convicted of a speeding violation of ≥ 25 MPH but ≤ 29 MPH over the speed limit or for habitual traffic law violation, to attend a driver improvement program. This program is in lieu of license suspension. However, a person cannot be assigned to this program more than once in 2 years. IAC 761-615.43(1)(b)

⁷A person's license may be suspended if they are an habitual offender of the traffic laws or if they commit a serious offense. ' 321.210(1)(b) & (f)

⁸I. For licensing action based on habitual violations of the traffic laws, the following suspensions apply: (1) 3 convictions within 12 months-90 days; (2) 4 convictions within 12 months-120 days; 5 convictions within 12 months-150 days; 6 convictions within 12 months 180 days; and, (5) 7 or more convictions within 12 months-1 year. IAC 761-615.17 Note: The licensing agency is not to consider the first two speeding violations within a 12 month period involving excess speed which was ≤ 10 MPH below the speed limit in speed zones having limits between 34 and 56 MPH. ' 321.210(2)(d) II. For licensing action based on a serious violation (i.e. exceeding the speed limit by ≥ 25 MPH), State regulations provide for graduated license suspension periods depending upon the speed of the vehicle. E.g., a person convicted of speeding ≥ 25 MPH but < 26 MPH over the speed limit is subject to a 60 day suspension. Whereas, a person convicted of speeding ≥ 49 MPH over the speed limit is subject to a 1 year license suspension. IAC 761-615.17(2)(c)

medical purposes. ' 321.215(1)

Miscellaneous Sanctions
Not Included Elsewhere⁹:

- I. An offender is assessed an additional penalty of 30 percent of the fine imposed. ' 911.2
II. **Civil Penalty.** If an offender's license is suspended, they are subject to a civil penalty of **\$200** (if ≤19 years old, the civil penalty is \$50). ' 321.218A

Other Criminal Actions Related to Speeding:

Drag Racing on Highway:

Simple Misdemeanor ' 321.278

Sanctions:

Criminal Sanction:

Not more than **30 days** ' 903.1(1)(a)

Imprisonment (Term):

None

Mandatory Minimum Term:

Fine (\$ Range):

\$50 to \$500 ' 903.1(1)(a)

Mandatory Minimum Fine:

None

Administrative Licensing Action:

Licensing Authorized and

Type of Action:

Revocation ' 321.209(6)

Length of Term of

Licensing Withdrawal:

1st offense-6 months If there was no personal injury or property damage ' 321.212(1)(c) 1st offense where there is personal injury or property damage or for any subsequent offense-1 year ' 321.212(1)(a)

Mandatory Action--Minimum

Length of License

Withdrawal:

None A restricted license is available for employment, educational or medical purposes. ' 321.215(1)

Other:

- I. An offender is assessed an additional penalty of 30 percent of the fine imposed. ' 911.2
II. **Civil Penalty.** If an offender's license is revoked, they are subject to

⁹ I. A person commits an aggravated misdemeanor if they exceed the speed limit by 25 MPH while eluding a law enforcement officer. The sanctions for this misdemeanor are jail for not more than 2 years and/or a fine of \$500 to \$5,000 and a surcharge which is equal to 30% of any fine imposed. ' ' 231.279(2), 903.1(2) & 911.2

II. A person commits a Class D Felony if they exceed the speed limit by 25 MPH while eluding a law enforcement officer and commit one of the following: (1) Participate in a public offense which is a felony (' 702.13); (2) violate the drunk driving law (' 321J.2); (3) violate the controlled substance law (' 124.401; or (4) cause bodily injury to another person during the offense. The sanctions for this felony are imprisonment for not more than 5 years and/or a fine of \$500 to \$7,500 and a surcharge which is equal to 30% of any fine imposed. ' ' 321.279(3), 902.9(4) & 911.2

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a civil penalty of **\$200** (if ≤19 years old, the civil penalty is \$50).
' 321.218A

Reckless Driving:

Sanction:

Criminal:

Imprisonment (Term):

Mandatory Minimum Term

of Imprisonment:

Fine (\$ Range):

Mandatory Minimum Fine:

Simple Misdemeanor ' 321.277

Not more than **30 days** ' 903.1(1)(a)

None

\$50 to \$500 ' 903.1(1)(a)

None

Administrative Licensing Actions:

Type of Licensing Action

(Susp/Rev):

Length of Term of License

Withdrawal Action:

Mandatory Term of License

Withdrawal Action:

Suspension ' 321.210(1)(f)

Not more than **1 year** 321.212(1)(a)

None A restricted license is available for employment, educational or medical purposes. ' 321.215(1)

Other:

I. An offender is assessed an additional penalty of 30 percent of the fine imposed. ' 911.2

II. **Civil Penalty.** If an offender's license is suspended, they are subject to a civil penalty of **\$200** (if ≤19 years old, the civil penalty is \$50).
' 321.218A

Other Criminal Actions Related to Speeding: (continued)

Careless Driving¹⁰:

Sanction:

Criminal:

Imprisonment (Term):

Mandatory Minimum Term

of Imprisonment:

Fine (\$ Range):

Mandatory Minimum Fine:

Simple Misdemeanor ' ' 321.277A & 321.482

None

\$25 ' 805.8(2)(af)

None

Administrative Licensing Actions:

Type of Licensing Action

(Susp/Rev):

Length of Term of License

Withdrawal Action:

Mandatory Term of License

Suspension⁷ ' 321.210(1)

30 days to 1 year based on habitual violator status⁸ ' 321.212(1)(a) and IAC 761-615.11(1)

¹⁰"Careless driving" consists of intentionally operating motor vehicle by (1) creating or causing unnecessary tire squealing, skidding or sliding upon acceleration or stopping, (2) simulating a temporary race, (3) causing any wheel or wheels to unnecessarily lose contact with the ground and (4) causing the vehicle to unnecessarily turn abruptly or sway. ' 321.277A

Withdrawal Action: **None** A restricted license is available for employment, education or medical purposes. ' 321.215(1)

Other: I. An offender is assessed an additional penalty of 30 percent of the fine imposed. ' 911.2
 II. **Civil Penalty.** If an offender's license is suspended, they are subject to a civil penalty of **\$200** (if ≤19 years old, the civil penalty is \$50). ' 321.218A
 III. **Road Work Zone.** For a violation of the Careless Driving law in a road work zone, the fine is **double**. ' 805.8(2A)

Commercial Motor Vehicle (CMV) Operators¹¹:

Grounds for Disqualification: A person is disqualified from operating a CMV if while driving such a vehicle they either commit 2 or more serious traffic offenses¹² within a 3 year period. ' 321.208(4)

Period of Disqualification: 2 violations (within 3 years)-**60 days** 3 violations (within 3 years)-**120 days** ' 321.208(4)

Commercial Motor Vehicle (CMV) Operators:
 (continued)

Period of Mandatory Disqualification: 2 serious violations (within 3 years)-**60 days** 3 serious violations (within 3 years)-**120 days** ' ' 321.208 & 321.215(4)

¹¹A person who has obtained a commercial driver's license (CDL) and is qualified to operate a commercial motor vehicle. A commercial motor vehicle is defined as a vehicle designed to carry either passengers or property and either has a gross vehicle weight of ≥26,001 lbs., is designed to transport 16 or more persons, or is transporting hazardous materials which requires that the vehicle to be placarded in accordance with U.S. Department of Transportation regulations. ' 321.1

¹²These violations include exceeding the speed limit by 15 or more MPH and reckless driving. ' 321.208(4)